

## RESOLUTION NO. 2010-06

### INTENT TO CHANGE THE GALLATIN LOCAL WATER QUALITY DISTRICT BOUNDARY—NORTHERN EXPANSION

This Resolution was introduced by Board Chair Sherwin Leep, moved by Board member \_\_\_\_\_, seconded by Board member \_\_\_\_\_, and approved by vote, (\_\_\_) in favor, (\_\_\_) opposed, and (\_\_\_) absent/vacant, at a duly noticed public hearing on April 1, 2010 at 8:15 a.m., held in the Community Room of the Gallatin County Courthouse at 311 West Main Street, Bozeman, Montana, 59715.

**History:** The Gallatin Local Water Quality District (GLWQD) was created by the Gallatin County Commission with passage of County Resolution 1995-55, under the authority of Montana Code Annotated (MCA) 7-13-Part 45. The GLWQD program was approved by the Montana Board of Environmental Review on June 20, 1997, as required by MCA 75-5-202. The GLWQD is funded by a \$6.00 per year fee assessed on improved properties within the District.

**Mission Statement:** The Mission of the GLWQD is to protect, preserve, and improve the quality of surface waters and ground waters within the District. The GLWQD provides education and assistance to District residents, including information on water quality and quantity, proper care of ground water wells and septic systems, water quality testing, and safe handling and disposal of hazardous chemicals. The GLWQD also maintains a network of ground-water monitoring wells, routinely works with other agencies and organizations to monitor ground water and surface water quality, and periodically conducts special investigations to evaluate water quality issues.

**Public Health Safety & Welfare:** Pollution and degradation of ground water and surface water pose both immediate and long-term threats to the health, safety, and welfare of the citizens of Gallatin County. The costs to clean up contaminated ground water and surface water far exceed the costs to prevent contamination in the first place. The expansion of the District boundary to the North of the current boundary would allow the GLWQD to expend funds and dedicate staff time to monitoring water quality, assisting residents in the area, and assessing water quality issues. It is the desire of the GLWQD Board to extend efforts to protect and preserve water quality to the North of the current District boundary by expanding to include lands legally described in Exhibit A.

The GLWQD determines that the program and boundary expansion is “consistent with the purposes and requirements of Title 75, chapter 5, and that the program will be effective in protecting, preserving, and improving the quality of surface water and ground water, considering the administrative organization, staff, and financial and other resources available to implement the program.” MCA 7-5-311(3).

**Now Therefore Be It Resolved:** That the GLWQD Board hereby adopts this Resolution of Intent **2010-06**, to expand the district boundary as described in Exhibit A, pursuant to the authority and procedures set forth in Title 7, Chapter 13, Part 45, Montana Code Annotated. MCA section 7-13-4511, provides if more than 20% of the owners of fee-assessed units protest, then the District is barred from proceeding further without a referendum.

As required by MCA 7-5-311(7), if a resolution is adopted the GLWQD Board shall submit a program amendment to the Board of Environmental Review (provided for in MCA 2-15-3502) before implementing the local water quality program in areas that have been added to the District.

Dated: 1 April 2010

Gallatin Local Water Quality District Board

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Sherwin Leep, Chairman

Attest:

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Charlotte Mills  
Gallatin County Clerk & Recorder

EXHIBIT A-RESOLUTION 2010-06  
LEGAL DESCRIPTION OF BOUNDARY CHANGE  
FOR NORTHERN EXPANSION

Beginning at the northeast corner of Section Seventeen (17), Township Two (2) North, Range Six (6) East; thence west along the section line to the northwest corner of Section Eighteen (18), Township Two (2) North, Range Six (6) East; thence north along the section line to the northeast corner of Section Thirteen (13), Township Two (2) North, Range Five (5) East; thence west along the section line to the northwest corner of Section Sixteen (16), Township Two (2) North, Range Two (2) East; thence south along the section line to the southwest corner of Section Thirty-three (33), Township Two (2) North, Range Two (2) East; thence east along the section line to the southeast corner of Section Thirty-six (36), Township Two (2) North, Range Five (5) East; thence south along the section line to the southwest corner of Section Thirty-one (31), Township Two (2) North, Range Six (6) East; thence east along the section line to the southeast corner of Section Thirty-four (34), Township Two (2) North, Range Six (6) East; thence north along the section line to the northeast corner of Section Twenty-seven (27), Township Two (2) North, Range Six (6) East; thence west along the section line to the northeast corner of Section Twenty-eight (28) Township Two (2) North, Range Six (6) East; thence north along the section line to the northeast corner of Section Twenty-one (21), Township Two (2) North, Range Six (6) East; thence west along the section line to the northeast corner of Section Twenty (20), Township Two (2) North, Range Six (6) East; thence north along the section line to the northeast corner of Section Seventeen (17), Township Two (2) North, Range Six (6) East, that being the point of beginning.